
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Time Warner NY Cable LLC)	File No.: EB-FIELDSCR-14-00015984
Operator of Cable Television System)	
)	
)	NOV No.: V201432640010
)	
Ahoskie, North Carolina)	

NOTICE OF VIOLATION

Released: June 9, 2014

By the Resident Agent, Norfolk Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Time Warner NY Cable, LLC operator of a cable television system in Ahoskie, North Carolina. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On May 15, 2014, an agent of the Commission's Norfolk Office inspected the cable television system in Ahoskie, North Carolina, and observed the following violation:

- a. 47 C.F.R. § 76.605(a)(12): As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in §76.609(h) and shall be limited as follows: Over 54 MHz, and less than and including 216 MHz - 20 micro-volts per meter measured at 3 meters. At the time of inspection signal leakage was observed on the frequency of 121.2625 MHz as follows:

59μV/m	Pole NCP1A 68, 404 W. Roger St., Ahoskie, NC
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¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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59 μ V/m	Pole VEPCO KL10; near 203 Maple St. Ahoskie, NC
413 μ V/m	Pole P1237/NCP MM65/46-5, Near 512 & 514 Pine St., Ahoskie, NC

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Time Warner NY Cable, LLC must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Time Warner NY Cable, LLC to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Time Warner NY Cable, LLC with personal knowledge of the representations provided in Time Warner NY Cable, LLC's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the registrant's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Norfolk Office
1457 Mount Pleasant Road, Suite 113
Chesapeake, Virginia 23322

6. This Notice shall be sent to Time Warner NY Cable, LLC at its address of record.

³ 47 U.S.C. § 403.

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

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Luther Bolden
Resident Agent
Norfolk Office
South Central Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).